

Congress of the United States

Washington, DC 20515

April 4, 2023

Serena Coleman McIlwain
Secretary of the Environment
Maryland Department of the Environment
Montgomery Park Business Center
1800 Washington Blvd.
Baltimore, MD 21230

Dear Secretary McIlwain:

As you consider a new licensing agreement for Conowingo Dam, we write to urge you to pursue the best possible outcome for the health of the Chesapeake Bay and the Susquehanna River. As you know, the Chesapeake Bay is both a national treasure and an economic engine for our region, and for decades the federal government and watershed states have worked together to clean up this vital resource. Recently, the U.S. Court of Appeals for the D.C. Circuit found that the Federal Energy Regulatory Commission (FERC) acted unlawfully by issuing a new 50-year license for the Dam that did not include the Water Quality Certification for the Dam that Maryland issued in 2018. This ruling has created the opportunity for a protective Conowingo license that holds Constellation Energy responsible for mitigating more of the pollution caused by the Dam's operations and includes a funding mechanism for restoration.

The Conowingo Hydroelectric Dam is located 10 miles upstream from the Chesapeake Bay on the Susquehanna River, which provides half of the fresh water – and a significant amount of the sediment and nutrient pollution – that reaches the Bay. Both the river and the dam are critical to the Bay's water quality. Over the last 95 years, millions of tons of sediment and nutrient pollution have washed downstream and accumulated to fill the Dam's reservoir. During large storms, fast-moving water scours millions of pounds of this pollution from behind the dam and pushes it further downstream, undermining the region's ability to meet our water quality goals for the Chesapeake Bay.

As states across the watershed work to reduce their downstream pollution to the Bay, addressing the pollutant issues at Conowingo Dam will be critical in our joint restoration effort. Any licensing agreement is poised to have long-lasting implications not only for the Dam, but also for Maryland's ability to meet our clean water goals. The 50-year FERC license that was vacated by the court did not contain the important cleanup requirements that Maryland found necessary to protect the water quality of the river and Bay. We are pleased that the State now has the opportunity to ensure any license granted for Conowingo has adequate measures to achieve meaningful progress on the health of the Chesapeake Bay and will continue to advance our regional efforts to meet the Chesapeake Bay Agreement goals.

As FERC begins its process to relicense the Conowingo Dam, we urge you to ensure that the final license advances our federal and state efforts by including the 2018 Water Quality

Certification, which provides the terms necessary to ensure that the dam meets state water quality standards and will aid our efforts to continue to improve the health of the Chesapeake Bay.

Sincerely,



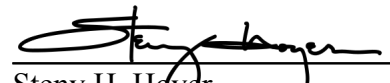
Chris Van Hollen
United States Senator



John P. Sarbanes
Member of Congress



Benjamin L. Cardin
United States Senator



Steny H. Hoyer
Member of Congress



C. A. Dutch Ruppertsberger
Member of Congress



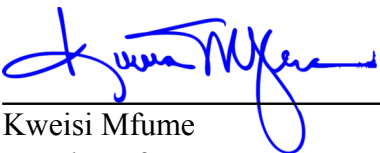
Andy Harris, M.D.
Member of Congress



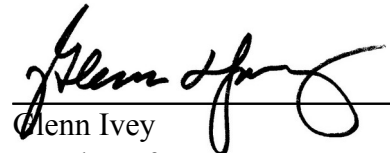
Jamie Raskin
Member of Congress



David J. Trone
Member of Congress



Kweisi Mfume
Member of Congress



Glenn Ivey
Member of Congress